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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/605,001

06/27/2000

Gary Karlin Michelson

101.0044-04000

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EXAMINER

BROWN, MICHAEL A

ART UNIT

PAPER NUMBER

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07/16/2012

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09/605,001	27 June, 2000	MICHELSON, GARY KARLIN	101.0044-04000

MARTIN & FERRARO, LLP 1557 LAKE O'PINES STREET, NE HARTVILLE, OH 44632		EXAMINER	
		MICHAEL BROWN	
		ART UNIT	PAPER
		3772	20120710

DATE MAILED:

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Commissioner for Patents

See attached comments.

/Michael Brown/
Primary Examiner, Art Unit 3772

Interference

1. Claims 105-129 are pending, as filed on January 28, 2008. Applicant stated Claims 105-129 were added to correspond exactly or substantially to claims 1-3 and 5-26 of U.S. Patent No. 6,083,225 (Winslow et al.), which issued on July 4, 2000.
2. The Office acknowledges with appreciation the copy of the July 3, 2001 amendment applicant has provided with the response filed on December 23, 2010.
3. Applicant filed a statement under 37 CFR § 41.202 on May 27, 2008 for consideration of an interference with USP 6,083,225 (Winslow). A reformatted claim chart was filed on April 14, 2009.
4. Applicant states the claimed subject matter is supported by the disclosure to include Figures 16, 26 and 27.

Information Disclosure Statement

5. The information disclosure statement (IDS) submitted on November 8, 2011 was filed after the mailing date of the ex parte Quayle action on April 27, 2010. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Original Disclosure

6. Applicant may wish to consider a future revision to Figure 36 because it fails to show the line "38-38" as stated in the Brief Description for Figure 38 on page 25. Line 21 of the specification.
7. On page 25, line 13 of the specification, it appears the word "of" has been omitted.

Terminal Disclaimer

8. The terminal disclaimer filed on December 23, 2010 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of 6,080,155, 6,270,498, 7,431,722, 6,770,074, and 7,569,054 has been reviewed and is accepted. The terminal disclaimer has been recorded.

References Cited

9. Applicant filed two design applications – 23,141 on May 19, 1994, which issued as D374,283 on October 1, 1996 and 60,514 on September 30, 1996 (a divisional of 23,141), which issued as D397,436 on August 25, 1998. These two design references show the extended outer sleeve having extended members, which applicant has shown in present Figures 26 and 27. These two design patents are not available as prior art under 35 USC 102(e), however, they are being cited on the PTO-892 “Notices of References Cited” because of their relevance to the claimed subject matter.

10. USP 6,063,088 (Winslow) is not considered to be prior art, but is being cited as being relevant to the currently pending claims.

Allowable Subject Matter

11. The following is a statement of reasons for the indication of allowable subject matter: Claims 105-129 do not appear to include any limitations related to an opening in an outer wall of extended outer sleeve, such as is represented by element 16 in Winslow’s Figure 1 (USP 6,083,225).

Prosecution on the merits is closed.

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/Michael Brown/

Primary Examiner, Art Unit 3772

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